

S/N NEW FILING

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	ALFERNESS ET AL.	Examiner:	UNKNOWN
Serial No.:	NEW FILING	Group Art Unit:	UNKNOWN
Filed:	HEREWITH	Docket No.:	11998.5USC2
Title:	CARDIAC DISEASE TREATMENT AND DEVICE		

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By: 

Name: Omesh Singh

PRELIMINARY AMENDMENT

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Prior to substantive examination, please enter the following amendments and remarks.

IN THE CLAIMS

Please cancel claim 1 and add new claims 18-31, as follows.

18. (NEW) A method for treating cardiac disease of a heart, the method comprising:
  - placing a device on the heart, the device comprising:
    - biocompatible material configured to engage a surface of the heart to constrain circumferential expansion of the heart; and
  - pacing the heart.
19. (NEW) A method according to claim 18 wherein the step of pacing the heart comprises pacing the heart to assist contraction of the heart during systole.

20. (NEW) A kit for treating a disease of a heart, the kit comprising:
  - (a) a cardiac constraint device comprising biocompatible material configured to engage a surface of the heart to constrain circumferential expansion of the heart; and
  - (b) a cardiac pacing device.
21. (NEW) A kit according to claim 20, wherein the cardiac pacing device comprises one or more pacing leads.
22. (NEW) A kit according to claim 20, wherein the cardiac pacing device comprises one or more pacing leads operably connected to the cardiac constraint device and configured to contact a surface of the heart.
23. (NEW) A device for treating a disease of a heart, the device comprising:
  - (a) biocompatible material configured to engage a surface of the heart to constrain circumferential expansion of the heart; and
  - (b) one or more pacing leads operably connected to the material and configured to contact a surface of the heart.
24. (NEW) A device according to claim 23, wherein the biocompatible material is configured to constrain diametrically opposing aspects of the heart.
25. (NEW) A device according to claim 23, wherein the biocompatible material defines a volume between an open upper end and a lower end and is dimensioned for an apex of the heart to be inserted into the volume through the open upper end to constrain circumferential expansion of the heart.
26. (NEW) A device according to claim 23, wherein the biocompatible material is constructed as a jacket having an upper and lower end, wherein the jacket is configured to surround the heart and the jacket is open at the lower end.

27. (NEW) A device according to claim 20, wherein the biocompatible material is constructed as a jacket having an upper and lower end, wherein the jacket is configured to surround the heart and the jacket is closed at the lower end.
28. (NEW) A device according to claim 23 wherein the material comprises intertwined fibers.
29. (NEW) A device according to claim 28 wherein the intertwined fibers are of a knit construction.
30. (NEW) A method according to claim 28 wherein the intertwined fibers are of an atlas knit construction.
31. (NEW) A device according to claim 23 wherein the biocompatible material is selected from polytetrafluoroethylene, expanded polytetrafluoroethylene, polypropylene, polyester or stainless steel.

#### **REMARKS**

No new matter is added by the amendments to the claims. Claims 18-31 are currently pending.


CONCLUSION

In view of the amendments to the claims, it is respectfully submitted that the application is in condition for allowance and notification to that effect is earnestly solicited.

Respectfully submitted,

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